

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 269 – SB 193

March 31, 2009

SUMMARY OF BILL: Creates a new Class E felony offense for a person knowingly to provide false documentation for the purpose of receiving any public benefits provided by the State to indigent persons, or for a person knowingly to provide, to any employer, false documentation for the purpose of obtaining employment.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$71,100/Incarceration*

Assumptions:

- The Department of Correction (DOC) estimates two additional offenders per year for knowingly providing false documentation for the purpose of receiving public benefit or employment.
- According to DOC, the average operating cost per offender per day for calendar year 2009 is \$59.80 and the average post-conviction time served for a Class E felony is 1.63 years. The cost per offender at 1.63 years is \$35,548.11 (\$59.80 x 594.45 days). The total additional cost for two offenders is \$71,096.22 (\$35,548.11 x 2).
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.12 percent per year for the past 10 years, yielding a projected compound population growth of 11.78 percent over the next 10 years. No significant incarceration cost increase will occur due to population growth in this period.
- Due to the small number of offenders and the relatively short time served, no recidivism discount has been applied for these offenses.
- Any impact on caseloads in state trial courts can be accommodated within existing resources without an increased appropriation or reduced reversion.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/lsc